

**REMARKS**

Claims 3-7, 9, 11-17, 27, 28, and 46 are pending. Claims 1, 2, 8, 10, 18-26 and 29-45 were previously canceled. Of course, Applicants reserve the right to file one or more continuing applications to the canceled subject matter.

The claims, particularly claims 3, 11, and 12, have been amended to take into account the suggestions outlined by the examiner in the Advisory Action dated April 4, 2004, e.g., replace "a" with "the" as appropriate. In this regard, Applicants thank Examiner Li for extending the courtesy of a telephone interview with the undersigned to discuss Applicants' proposed claim amendments.

Applicants also thank Examiner Li for indicating that he would be willing to examine withdrawn method claims 13, 14, 15, 27, and 28 if they are commensurate in scope with the pending composition claims. Since 13, 14, 15, 27, and 28 recite the use of only the specific polynucleotides of claims 5 or 11, Applicants believe that the withdrawn claims indeed are commensurate in scope with those composition claims. Accordingly, Applicants respectfully request that the Examiner rejoin the withdrawn claims and examine them in conjunction with the pending composition claims.

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested. The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby

Appl. No. 09/954,846  
Atty. Dkt. No. 039386-1319

petition for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date August 4, 2004

By Vid S. Mohan-Ram

FOLEY & LARDNER LLP  
Customer Number: 22428  
Telephone: (202) 672-5444  
Facsimile: (202) 672-5399

Vid S. Mohan-Ram  
Patent Agent  
Registration No. 55,459